



MINUTES
CITY COUNCIL MEETING
COUNCIL CHAMBERS – HUTCHINSON, KANSAS
FEBRUARY 21, 2017
9:00 a.m.

1. The Governing Body of the City of Hutchinson, Kansas met in regular session at 9:00 a.m. on Tuesday, February 21, 2017 in the City Council Chambers with Mayor Daveline presiding. Councilmembers Soldner, Dechant, Inskip and Piro de Carvalho were present.

2. The Pledge of Allegiance to the flag was recited.

3. The prayer was given by Pastor Gary Getting of Elliott Mortuary.

4. Awards

a. Commendation of Fire Department personnel.

Deputy Fire Chief Doug Hanen presented awards to the following: Dalton Black, Raymond Casanova, Danny Chambers, Zachary Heath, Ronald Kauffman, David Mancillas, and Ryan Winters. Also recognized were Battalion Chief Albright and Training Chief Martin, as well as all other members of the Fire Department that were on site at the structure fire of the Ridgewood Apartments.

5. Proclamations

a. The Proclamation for Kansas Kiwanis Day was accepted by Cindi Bender, Kansas Kiwanis Governor. Ms. Bender thanked the City Council. She said the conference for the Kansas Kiwanis clubs will be in Hutchinson in March; and they will be supporting First Call for Help and the Children's Emergency Safe Home.

6. Petitions, Remonstrances and Communications

a. Oral communications from the audience. (Please limit your remarks to five (5) minutes and to items NOT on the agenda.)

There were no oral communications from the audience.

7. Consent Agenda

- a. Approval of Minutes of February 7, 2017 City Council meeting.
- b. Appointment to the Hutchinson Human Relations Commission of Joe G. Allen, 29 East 14th, to fill the unexpired term of Cynthia Flores for the term beginning 9/11/2014 to 9/11/2017.
- c. Appointment to the Hutchinson Housing Commission of Lucas Sotlow, 315 East 36th, to fill the unexpired term of Luke McConnaughy for the term beginning 6/05/2015 to 6/05/2018.
- d. Approval of agreement with Hutchinson Recreation Commission.
- e. Approval of 2016 Planning & Development Department annual report.
- f. Approval of appropriation ordinance in the amount of \$2,642,661.30.

Mayor Daveline had several questions relating to the agreement with the Hutchinson Recreation Commission. He asked about the rental rates; and whether it is advisable to have fixed rates since this is a five-year contract. Justin Combs, Director of Parks and Facilities, said he and Tony Finlay of the Recreation Commission discussed this. He said the fees are used to cover basic labor costs, with the real revenue coming from tournament fees, admission fees, concessions, etc. Discussion ensued. Paul Brown said if an amendment needs to be made to the contract in the future, that can be done.

Motion by Councilmember Dechant, second by Councilmember Soldner, to approve the Consent Agenda; and authorize the Mayor to sign. The motion passed unanimously.

8. New Business

- a. Consider request for a Conditional Use Permit for car wash at 2601 N. Main. Amy Allison, Housing Program Coordinator, spoke.

Motion by Councilmember Piros de Carvalho, second by Councilmember Inskip, to accept and approve the recommendation of the Planning Commission to approve the Conditional Use Permit for a car wash on property at 2601 N. Main Street, pursuant to the factors and condition as set out. The motion passed unanimously.

- b. Consider Agreement to subordinate the CDBG Repayment Agreement between the City and Interfaith Housing Services. Councilmember Dechant said he would abstain from discussion and voting on this item. Jana McCarron, Director of Planning & Development, spoke.

Motion by Councilmember Inskeep, second by Councilmember Soldner, to approve the Subordination Agreement; and authorize the Mayor to sign. The motion passed by a vote of 4 – 0, with Councilmember Dechant abstaining.

c. Consider Amendment to engineering contract with CDM Smith, Inc. Bruce Colle, Director of Engineering, gave a background of the Stormwater Master Plan. He said the City received information from FEMA and the Kansas Division of Emergency Management regarding funding for projects through FEMA. He said there is a short window for application; and more than one application can be submitted per year. Discussion ensued. Councilmember Soldner asked if the City is competing for these funds on a state or national level. Mr. Colle said it is on a national level; and in 2016 the largest project funded was for \$24 million in Louisiana. Additional discussion ensued regarding the application process, the cost involved, timeframes, etc.

Motion by Councilmember Soldner, second by Councilmember Dechant, to approve Amendment 1 to the Professional Services Contract for the update of the Stormwater Master Plan with CDM Smith, Inc. at a maximum not to exceed cost of \$59,220.00; and authorize the Mayor to sign. The motion passed unanimously.

d. Consider house purchase in the Airport Runway Protection Zone. John Deardoff, City Manager, spoke. He said the City has been working on this issue for several years. Mr. Deardoff said in May, 2016, Mr. Foss contacted the City saying he was frustrated that the City hadn't moved forward on this plan. During budget discussions, the City Council suggested setting aside funds annually to begin purchasing these properties as funding becomes available. Negotiations began with the property owner; and appraisals were obtained. The parties agreed to a negotiated price of \$210,000.00. Mr. Deardoff said he has had calls from other property owners in the RPZ with questions. Mayor Daveline asked if the home could be moved to another location. Mr. Deardoff said after the home is vacant, the City will determine how to eliminate the structure. He said there is potential infill development where the home could be moved, or items could be salvaged and the structure demolished. Additional discussion ensued.

Motion by Councilmember Inskeep, second by Councilmember Piros de Carvalho, to approve the Real Estate Contract between the City and Lyle Foss and Deborah Foss, f/k/a Deborah Wolcott; and authorize the Mayor to sign. The motion passed unanimously.

e. Consider Make it Greater Grant. Meryl Dye, Assistant City Manager, spoke. She said Julie Black, a local artist, would be hired to design murals in Avenue A Park. Discussion ensued.

Motion by Councilmember Inskeep, second by Councilmember Piros de Carvalho, to approve the Public Art Design Council's Avenue A Park mural project; and authorize the Mayor to sign the Fiscal Sponsor Agreement and application for the "Make it Greater" grant. Councilmember Dechant asked about the mural on the TECH building; and the continuation of that art. He asked if any of the art would be visible from the sidewalk? Ms. Dye said Ms. Black would like to utilize other vertical walls for art; and said some would be visible from the sidewalk. The motion passed unanimously.

9. Report of City Officials

a. Council

- Councilmember Soldner had no comments.
- Councilmember Dechant asked about a statement in the Planning Commission Minutes advising members not to address City Council during Council meetings. Councilmember Dechant said he appreciated having the Planning Commission address the Council at the last meeting; and said he hoped the City Attorney would be comfortable at some point having them speak.
- Councilmember Inskeep had no comments.
- Councilmember Piros de Carvalho said on the Consent Agenda we often see approvals for filing term limits on different commissions. She said she appreciates everyone who puts in their time, but notices a lot of unexpired terms being filled. She asked about the reasons for those unexpired terms, advertising of openings, etc. Jana McCarron, Director of Planning and Development, explained why there had been an opening on the Housing Commission; and said they do advertise for some of the vacancies. Councilmember Piros de Carvalho said there is always opportunity to serve, but people may not always be aware of those opportunities. Meryl Dye, Assistant City Manager, said all of the boards are listed on the City's web site. She also said the Human Relations Commission did recently advertise in the newspaper; and received several applicants. Additional discussion ensued.
- Mayor Daveline asked Ms. McCarron about the calendar for March and the review of the Comprehensive Plan. Ms. McCarron said a draft of the Comprehensive Plan is on the City's website. She said the public hearing will be held on March 7, 2017 at 5:00

p.m. in the City Council chambers. After the public hearing, the matter will come before the council on March 21, 2017.

b. City Manager

Mr. Deardoff introduced Manuel Ultreras from the Hugo Wall School of Public Administration, who is shadowing him today.

Mr. Deardoff said he and Ms. Dye met with stakeholders to discuss the ¼ cent sales tax renewal process. He said with the election changes the City is looking at the November, 2017 or November, 2018 election, but is hoping to get it on the 2017 ballot.

10. Executive Session

a. Motion by Councilmember Dechant, second by Councilmember Soldner, to recess into executive session pursuant to the following: (1) employer-employee negotiations exception, K.S.A. 75-4319(b)(3) in order to discuss pending issues related to the 2018 contract negotiations with the City's bargaining units; (2) personnel matters of non-elected personnel exception, K.S.A. 75-4319(b)(1) to discuss current status of non-elected personnel; and (3) pursuant to the preliminary discussions relating to acquisition of real property exception, K.S.A. 75-4319(b)(6); the open meeting to resume in the City Council chamber at 11:30 o'clock a.m. The motion passed unanimously.

The open meeting resumed in the Council Chambers at 11:30 a.m.

Motion by Councilmember Dechant, second by Councilmember Piros de Carvalho, to recess into executive session pursuant to the following: (1) employer-employee negotiations exception, K.S.A. 75-4319(b)(3) in order to discuss pending issues related to the 2018 contract negotiations with the City's bargaining units; (2) personnel matters of non-elected personnel exception, K.S.A. 75-4319(b)(1) to discuss current status of non-elected personnel; and (3) pursuant to the preliminary discussions relating to acquisition of real property exception, K.S.A. 75-4319(b)(6); the open meeting to resume in the City Council chamber at 12:00 p.m. The motion passed unanimously.

The open meeting resumed in the Council Chambers at 12:00 p.m.

11. Adjournment

Motion by Councilmember Soldner, second by Councilmember Dechant, to adjourn. The motion passed unanimously.